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Application **GRANTED** in part. The deadlines set out in the Order dated September 26, 2022, are **canceled**. By **November 2, 2022**, the parties shall file a joint letter regarding the status of their settlement discussions. If, at that time, the parties have not reached a settlement agreement, this case will proceed, and Plaintiff shall retain new counsel or proceed pro se. Defendants' counsel shall, as soon as possible, send this Order to Plaintiff. So Ordered.

Jeffrey Kimmel

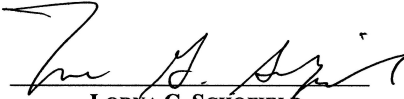
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September 29, 2022

Dated: September 30, 2022
New York, New York

VIA ECF


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Honorable Lorna G. Schofield
United States District Court, Southern District of New York
40 Foley Square
New York, New York 10007

Re: Smith v. Mount Sinai Health System, et al. Case No.: 22 Civ. 2027 (LGS)

Dear Judge Schofield:

This firm represents defendant Mount Sinai Morningside ("Defendant") (named herein as "Mount Sinai Health System, Inc. and Mount Sinai Morningside") in the above-referenced matter. Pursuant to Your Honor's Individual Practices, Defendant writes, on behalf of Plaintiff, to respectfully request a 30-day stay of the briefing schedule for Defendant's summary judgment motion. Following the stay, the parties will provide the Court with a status update, and, if necessary, a proposed briefing schedule for Defendant's motion.

The reason for this request is that this week, we received an email from Kenneth Hawco, Esq., informing us that counsel for Plaintiff, Juan M. Ramos-Quintana, passed away. Mr. Hawco attached a notarized letter from Plaintiff providing her permission for Mr. Hawco to contact us. In the letter, Mr. Hawco requested an adjournment of the September 28, 2022 pre-motion conference to provide the parties with time to discuss settlement and, if settlement discussions are unsuccessful, to allow Plaintiff time to retain new counsel because Mr. Hawco does not handle this type of lawsuit. Mr. Hawco's email and the accompanying letter from Plaintiff are attached for the Court's convenience. After receiving the Court's Order, dated September 26, 2022, setting a briefing schedule for Defendant's motion for summary judgment, we wrote to Mr. Hawco proposing a 30-day extension of that schedule. In response, Mr. Hawco requested that the briefing schedule be stayed because he is not Plaintiff's attorney in this lawsuit and cannot agree to any deadlines. A stay will allow the parties time to discuss settlement and for Plaintiff to find new counsel, if necessary. Plaintiff replied to Mr. Hawco's email to say that she agreed. A copy of Plaintiff and Mr. Hawco's emails are attached.

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Defendant consents to Plaintiff's request. This is the first request for a stay of the summary judgment motion briefing schedule.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Jeffrey A. Kimmel

Jeffrey A. Kimmel

Attachments

cc: Kenneth Hawco, Esq. (via email)